

## LAW OFFICES

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**EXTENSION NO.:** 221

**To:** EXAMINER CALLIE E. SHOSHO  
 GROUP 1700  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C.

TELEPHONE NUMBER: 703-305-0208  
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IN RE APPLN. OF: LEIDNER ET AL.  
 SERIAL NO. 09/828,219  
 FILED: APRIL 9, 2001  
 FOR: ERASABLE COLORED PENCIL LEAD  
 GROUP ART UNIT: 1714  
 EXAMINER: CALLIE E. SHOSHO

Group 1700  
 Jan 24 2003  
 FAX RECEIVED

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FaxPTO (3/6/2000)

**PATENT**  
Attorney Docket No. 209391/B&S *9/6/03*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***01.28.03*

In re Application of:

LEIDNER et al.

Application No. 09/828,219

Art Unit: 1714

Filed: April 9, 2001

Examiner: Callie E. Shosho

For: ERASABLE COLORED PENCIL  
LEAD**SUPPLEMENTAL RESPONSE**Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

On January 3, 2003, Applicants filed a response to the Office Action dated July 5, 2002, and indicated that a Rule 132 Declaration would be provided shortly.

Applicants now enclose a Declaration Under 37 CFR § 1.132 from David Hacker. As set forth in paragraphs 5-7 of the Declaration, U.S. Patent 5,595,589 (Hoshiba et al.) fails to provide a disclosure adequate to enable a person of ordinary skill in the art to make and use an erasable colored pencil lead, and the lead disclosed in Hoshiba et al., if prepared following the (inadequate) teaching, does not produce an erasable mark.

The application is in good and proper form for allowance.

Respectfully submitted,



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Date: *January 21, 2003*

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